

Subject Government records: correspondence defined

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Date February 25, 2025

Summary

This bill amends records retention and preservation laws for Minnesota government entities.

First, the bill removes current language that limits records retention laws to “official” records. Sections 1 and 2 remove from section 15.17 qualifying language that limits the statute’s scope to records regarding “official” activities or records created “in connection with the transaction of public business.” A similar change is contained in section 3, which eliminates from section 138.17 an exception for data that is not part of an “official transaction.” These changes effectively broaden the scope of records retention laws and no longer provide for a distinction between official and unofficial records.

Second, the bill defines “correspondence” in section 138.17. Currently, that section provides that correspondence is a form of government record without defining the term. Under the bill’s definition, “correspondence” includes any written or electronic text-based communication, except for personal, social, or spam-type communications.

Third, the bill provides that government entities, in setting their record retention schedules, must retain correspondence for no less than three years.